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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,047	12/27/2001	Sukhwinder Uppal	P14701-PUCN	1650

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EXAMINER

JABR, FADEY S

ART UNIT PAPER NUMBER

3628

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/034,047		UPPAL, SUKHWINDER	
	Examiner		Art Unit	
	Fadey S. Jabr		3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

Claims **1-4, 6, 9, 11, 13 and 16-21** have been amended. Claims **1-21** remain pending and are again presented for examination.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7 June 2006 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims **1, 9 and 16** have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant's amendment filed 7 June 2006, with respect to 35 U.S.C. 112, second paragraph, has been fully considered and is therefore withdrawn.

Claim Objections

Claim **9** is objected to because of the following informalities: the acronym "id" in line 12, is believe to have been intended to read "ID". Appropriate correction is required.

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Claim 11 is objected to because of the following informalities: the letter “o” in line 2, is believed to have been intended to read “to”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims **5 and 13** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **Claims 5 and 13**, the claims recite the limitation "predetermined time period" in lines 3 and 2, respectively. There is insufficient antecedent basis for this limitation in the claims. Further, Claim 5 recites the limitation “initial signal” in line 4, there is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

7. Claims **1 and 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Maropis et al., Pub. No. US2004/002371 A1.

As per **Claims 1 and 16**, Maropis et al. discloses a method and apparatus for providing prepaid phone service comprising:

- establishing a credit balance in said PPS account (0019, 0024);
- linking a supplementary service to said PPS account, wherein a fee for said supplementary service is charged to said PPS account one time, weekly, monthly, quarterly or annually said supplementary service including at least one of call forwarding, call waiting, call blocking and caller ID (0024, 0033);
- a timer means for determining that a predetermined time period associated with said supplementary service is complete (0013, 0024, 0033); and
- means for applying said fee to said PPS account (0012).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims **2-7 and 1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Maropis et al., Pub. No. US2004/0062371 A1.

As per **Claims 2 and 17**, Maropis et al. fails to *explicitly* disclose wherein linking said supplementary service to said subscriber account further comprises linking said PPS account to a *supplementary service sub-account* and a *call-event sub-account*. However, Maropis et al.

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discloses subscribers may be able to select a **basic** or a **premium** service for prepaid dialtone.

The premium service may include all the features of the basic service and the following features: voice mail, caller ID with name, call waiting, and non-published listing (0033). Further, Maropis et al. discloses the prepaid telephone services are implemented in the SCP by providing the SCP with the subscriber's telephone number, a day counter and a call counter to provide a fixed number of local telephone calls to a subscriber for a given service period. For instance, the prepaid telephone service of Maropis et al. includes a day counter and call counter to decrement the amount of calls, where the subscriber might need to replenish their account in order to make more calls (0030, 0023). Further, Maropis et al. includes a premium prepaid phone service where the services (voice mail, call waiting, etc.) are based on a 30-day service period (or any service period length), and the services do not end until the end of the service period (0024, 0033). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method and apparatus of Maropis et al. and include separating the call counter for the prepaid phone service from the premium services (voice mail, call waiting, etc.), because it provides the user with premium services which are based on a service period, while allowing the user to make prepaid calls maintained by a call counter.

As per **Claims 3 and 18**, Maropis et al. fails to *explicitly* disclose wherein applying said fee to said PPS account further comprises applying said fee to said supplementary service sub-account. However, Maropis et al. includes a premium prepaid phone service where the services (voice mail, call waiting, etc.) are based on a 30-day service period (or any service period length), and the services do not end until the end of the service period (0024, 0033). Further,

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Maropis et al. discloses transaction records where each record preferably contains the rate plan (e.g., the cost for the service period associated with the service plan). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method and apparatus of Maropis et al. and include applying a fee to the premium service, because it provides the user with premium services which are based on a service period, while allowing the user to make prepaid calls maintained by a call counter.

As per **Claim 4**, Maropis et al. fails to *explicitly* disclose the step of transmitting an initial signal from a node managing the PPS account to a node for applying rate charging analysis for starting a timer upon activation of said *supplementary service sub-account*. However, Maropis et al. discloses as soon as an account is established the prepaid subscriber database determined the service period end date for the subscriber (0024). Further, Maropis et al. discloses the service plan field of the subscriber record contains product code representative of the *specific version* of prepaid dialtone service applicable to the subscriber. The service dates field stores the *start and end dates* of the present period for which the prepaid dialtone service is active (0013). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method and apparatus of Maropis et al. and include upon establishment of an account, determining the start and end dates of the service period, because it provides the system and the subscriber with the service period in which the service fees will be applied.

As per **Claims 5 and 19**, Maropis et al. discloses utilizing a timing function for measuring said predetermined time period (0025); and

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Sending a second signal subsequent to said initial signal wherein said second signal indicates the end of said predetermined time period (0023-0025).

As per Claims 6 and 20, Maropis et al. discloses

- detecting said initial signal (0024);
- detecting said second signal (0025); and
- generating a call data record associated with said supplementary service (service plan) according to said tariff table (rate plan), for application to said PPS account (0012).

As per Claims 7 and 21, Maropis et al. discloses the step of applying said call data record to said PPS account (0012).

10. Claims **8-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Maropis et al., Pub. No. US2004/0062371 A1 in view of Phillips et al., U.S. Patent No. 5,870,459.

As per Claim 8, Maropis et al. fails to *explicitly* disclose the step of linking said supplementary services to said prepaid subscriber account wherein said prepaid subscriber account is stored on a home location register. However, Maropis et al. discloses the prepaid telephone services are implemented in the SCP by providing the SCP with the subscriber's telephone number, a day counter and a call counter to provide a fixed number of local telephone calls to a subscriber for a given service period (0023). Further, home location registers are well

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known in the telephone art. Moreover, Phillips et al. teaches a home location register for the prepaid cellular phone (C. 15, lines 16-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Maropis et al. and include a home location register to store subscriber information as taught by Phillips et al., because it maintains subscriber information relating the subscriber's service plan.

As per Claim 9-10 and 12, Maropis et al. discloses an apparatus for providing prepaid phone service

comprising:

- a prepaid administration system coupled with said prepaid subscriber account (0010);
- a means for charging and reducing funds in said prepaid subscriber account (0023, 0030);
- a first value of call events (0023); and
- means for generating a call data record associated with said time period for application to said PPS account (0012).

Maropis et al. fails to *explicitly* disclose

- a timer for determining a time period corresponding to said fee for said *supplementary service sub-account* where the time period is determined separately from said call events.
- a *second value* for fees related to a supplementary service sub-account, said sub-account including at least one of a call forwarding service, a call waiting service, a

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call blocking service and a caller ID service and the periodic charge is applied either one time, monthly, quarterly or annually to said PPS account;

However, Maropis et al. discloses subscribers may be able to select a **basic** or a **premium** service for prepaid dialtone. The premium service may include all the features of the basic service and the following features: voice mail, caller ID with name, call waiting, and non-published listing (0033). Further, Maropis et al. discloses the prepaid telephone services are implemented in the SCP by providing the SCP with the subscriber's telephone number, a day counter and a call counter to provide a fixed number of local telephone calls to a subscriber for a given service period. For instance, the prepaid telephone service of Maropis et al. includes a day counter and call counter to decrement the amount of calls, where the subscriber might need to replenish their account in order to make more calls (0030, 0023). Further, Maropis et al. includes a premium prepaid phone service where the services (voice mail, call waiting, etc.) are based on a 30-day service period (or any service period length), and the services do not end until the end of the service period (0024, 0033). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the apparatus of Maropis et al. and include separating the call counter for the prepaid phone service from the premium services (voice mail, call waiting, etc.), because it provides the user with premium services which are based on a service period, while allowing the user to make prepaid calls maintained by a call counter.

As per **Claim 11**, Maropis et al. fails to *explicitly* disclose means for applying said fee to said supplementary service sub-account. However, Maropis et al. includes a premium prepaid

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phone service where the services (voice mail, call waiting, etc.) are based on a 30-day service period (or any service period length), and the services do not end until the end of the service period (0024, 0033). Further, Maropis et al. discloses transaction records where each record preferably contains the rate plan (e.g., the cost for the service period associated with the service plan). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method and apparatus of Maropis et al. and include applying a fee to the premium service, because it provides the user with premium services which are based on a service period, while allowing the user to make prepaid calls maintained by a call counter.

As per **Claim 13**, Maropis et al. discloses a timing function for measuring said predetermined time period (0023-0025); and detection means for detecting said initial signal and a second signal that corresponds with the end of said predetermined time period, wherein said predetermined time period is one of a week, a month, a quarter or a year (0023-0025).

As per **Claim 14**, Maropis et al. discloses means for generating a call data record associated with said supplementary service, according to said tariff table, for application to said PPS account (0023-0025).

As per **Claim 15**, Maropis et al. discloses means for applying said call data record to said prepaid subscriber account (0012).

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadey S. Jabr whose telephone number is (571) 272-1516. The examiner can normally be reached on Mon. - Fri. 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Fadey S Jabr
Examiner
Art Unit 3628

FSJ

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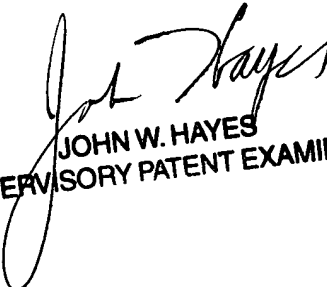
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JOHN W. HAYES
SUPERVISORY PATENT EXAMINER